



TOWN OF HINGHAM

Planning Board

NOTICE OF DECISION SITE PLAN REVIEW WITH BUILDING PERMIT LAND DISTURBANCE

IN THE MATTER OF:

Applicant: Joseph and Kathryn Crespo
195 South Pleasant Street
Hingham, MA 02043

Owner: The Gratta Family Irrevocable Trust
0 Popes Lane
Hingham, MA 02043

Property: 5 Popes Lane, Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds, Book 37370, Page 84

Plan Reference: "Lot & Septic Design Plan," prepared by Morse Engineering Co., Inc., 10 New Driftway, Scituate, MA, dated May 26, 2021 and revised through August 19, 2021 (2 Sheets)

SUMMARY OF PROCEEDINGS

This matter came before the Planning Board (the "Board") on the application of Joseph and Kathryn Crespo (collectively, the "Applicant") for Site Plan Review under §§ I-I and IV-B, 6 of the Zoning By-Law for land disturbance associated with the demolition of an existing dwelling and construction of a new dwelling with septic, access, utilities and grading estimated to exceed 5,000 SF.

The Board discussed the application during public meetings held on June 21, 2021 and August 23, 2021 via Zoom as an alternate means of public access pursuant to Chapter 20 of the Acts of 2021 temporarily amending certain provisions of the Open Meeting Law. The Board panel consisted of regular members Kevin Ellis, Chair, Gordon Carr, Rita DaSilva, Judith Sneath, and Gary Tondorf-Dick. Jeff Hassett, P.E., of Morse Engineering Co., appeared to present the application to the Board. The Board was assisted in its review by consulting engineer, Patrick Brennan, P.E., of Amory Engineers. At the conclusion of the review, the Board voted unanimously to grant Site Plan Approval with conditions set forth below.

BACKGROUND

The subject property (f/k/a 0 Popes Lane) consists of approximately 24 acres of land located on the south side of Popes Lane shortly after its intersection with Kress Farm Road. Portions of the property are impacted by wetlands and floodplain. Conservation land abuts three sides of the lot.

The property is improved by an existing single-family dwelling (ca. 1920) and outbuildings. The proposed plan would replace the existing dwelling and some outbuildings with a new 5-bedroom dwelling with an attached garage. The existing driveway, which is approximately 1,500 LF from Pope's Lane, would be maintained and expanded into circular configuration in front of the garage. The proposed five (5) bedroom dwelling has a footprint of approx. 4187 SF including all decks and garage. In addition to house construction, a septic system is proposed, roof drainage system, trenching for utilities including a water line and fire hydrant. The proposed plan is estimated to result in approximately 10,000 SF of disturbance.

FINDINGS

Based on the information submitted and presented during the review, and the deliberations and discussions of the Board during the meetings, the Board made the following findings in accordance with the Review Standards under § I-I, 6. of the By-Law:

- a. ***Protection of abutting properties against detrimental uses by provision for surface water drainage, fire hydrant locations, sound and site buffers, and preservation of views, light and air, and protection of abutting properties from negative impacts from artificial outdoor site lighting;***

The proposed plan calls for installation of an appropriately sized subsurface system to infiltrate roof runoff and erosion controls adequately protect adjoining conservation land from runoff. A fire hydrant will be located on the site within 800' of the proposed dwelling. The proposed dwelling and related improvements are also located on the interior of the site, so no residential properties in the area will be affected by sound or site lighting.

- b. ***Convenience and safety of vehicular and pedestrian movement within the site and on adjacent streets; the location of driveway openings in relation to traffic or to adjacent streets, taking account of grades, sight distances and distances between such driveway entrances, exits and the nearest existing street or highway intersections; sufficiency of access for service, utility and emergency vehicles;***

The existing driveway will provide access to the proposed single-family dwelling. Modest alterations, including (i) installation of lampposts along the driveway; (ii) installation of a structural concrete slab over an existing culvert to support a fire truck; and (iii) reconfiguration of the driveway to access the new attached garage, will result in convenient and safe access to the development site for both pedestrians and vehicles.

- c. ***Adequacy of the arrangement of parking, loading spaces and traffic patterns in relation to the proposed uses of the premises; compliance with the off-street parking requirements of this By-Law;***

The proposed dwelling includes an attached garage accessed via the reconfigured driveway. There is sufficient parking available on the site for a single-family use.

- d. ***Adequacy of open space and setbacks, including adequacy of landscaping of such areas;***

Proposed work is limited to previously disturbed areas on the site. Trees to be removed in connection with installation of the site utilities and other improvements are identified on the plan. Ten trees (2"-3" caliper) will be planted along the driveway. The remainder of the 24 (+/-) acre property will remain in its existing condition. The site disturbance in relation to the overall land area is relatively modest. The plan proposes adequate open space and buffers.

- e. ***Adequacy of the methods of disposal of refuse and other wastes during construction and resulting from the uses permitted on the site including, but not limited to, discarded building materials, concrete truck wash out, chemicals, litter and sanitary wastes; provided, that discharge of refuse or other wastes into the municipal storm water system shall be expressly prohibited;***

Management of soil tracked from the site and control of dust will be a required condition of this approval.

- f. ***Prevention or mitigation of adverse impacts on the Town's resources, including, without limitation, water supply, wastewater facilities, energy and public works and public safety resources;***

The proposed single-family dwelling will not impact the Town's water or sewer services. The dwelling will be served by an existing potable well and a new onsite wastewater disposal system. Public safety resources will be expanding through installation of a new fire hydrant.

- g. ***Assurance of positive storm water drainage and snow-melt run-off from buildings, driveways and from all parking and loading areas on the site, and prevention of erosion, sedimentation and storm water pollution and management problems through site design and erosion controls in accordance with the most current versions of the Massachusetts Department of Environmental Protection's Storm water Management Policy and Standards including the Massachusetts Storm water Handbook, the Massachusetts Erosion and Sediment Control Guidelines and, if applicable, additional requirements under the Town of Hingham MS4 Permit for projects that disturb more than one acre and discharge to the Town's municipal storm water;***

The Board's consulting engineer, Patrick Brennan, P.E., confirmed that the drainage design will adequately mitigate post-development runoff and erosion controls proposed along the south and west of the development area will mitigate potential erosion during construction activities.

- h. ***Assurance that appropriate Best Management Practices have been incorporated to minimize the amount of disturbed areas and protect natural resources, stabilize sites when projects are complete or operations have temporarily ceased, protect slopes on the construction site, protect storm drain inlets and armor all newly constructed outlets, install perimeter controls at the site, stabilize construction site entrances and exits to prevent off-site tracking of material, and to provide for regular inspection of storm water controls at consistent intervals;***

The proposed infiltration system for the roof runoff and erosion controls meet accepted design standards.

- i. ***Protection of natural and historic features including minimizing: the volume of cut and fill, the number of removed trees of 6 inches caliper or larger, the removal of stone walls, and the obstruction of scenic views from publicly accessible locations;***

The proposed construction is limited to previously disturbed areas of the site.

- j. ***Minimizing unreasonable departure from the character and scale of buildings in the vicinity or as previously existing on or approved for the site;***

The footprint of the single-family dwelling is consistent with others in the surrounding area.

DECISION

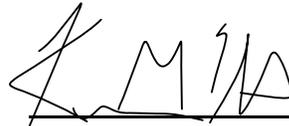
Upon a motion made by Kevin Ellis and seconded by Gordon Carr, the Board voted unanimously to grant the application of To grant the application of Joseph and Kathryn Crespo for Site Plan Approval pursuant to Section I-I and Section IV-B.6 of the Zoning By-Law for land disturbance associated with the demolition of an existing dwelling and construction of a new dwelling with septic, access, utilities and grading estimated to exceed 5,000 SF at 5 Popes Lane in Residence District C, as shown on the Site Plans, in accordance with the findings and subject to the conditions adopted by the Planning Board and incorporated herein.

1. Prior to application for a Building Permit, the Applicant shall submit a specification sheet depicting proposed dark-sky compliant lighting.
2. Prior to application for a Building Permit, the Applicant shall submit a plan, prepared by a structural engineer, of the proposed structural concrete slab to be installed over the culvert to verify that the structure will support fire apparatus.
3. Pre-Construction Meeting. Prior to any construction on the site, the applicant shall schedule a pre-construction review meeting with inspection of the erosion control installation and marked limits of clearing.
4. Inspections. Inspections shall be required during construction, and prior to issuance of a certificate of occupancy, of all elements of the project related to or affecting erosion control during construction, including during installation of the approved drainage and stormwater system. There shall be established, at the applicant's expense, a consultant

fee account pursuant to Massachusetts General Laws Chapter 44 Section 53G, to fund the cost of such inspections.

5. As-Built Plan Requirement. Upon project completion an as-built plan must be submitted to the Building Commissioner prior to the issuance of a certificate of occupancy, and in no event later than two years after the completion of construction. In addition to such other requirements as are imposed by the Building Commissioner, the as-built plan must demonstrate substantial conformance with the stormwater system design and performance standards of the approved project plans.
6. Dust and Soil Control. At the end of each workday, the site contractor shall address with broom sweeping any soil tracked-out onto Popes. The applicant shall have measures available on-site to address dust should it begin to occur during dry periods of construction.

For the Planning Board,

A handwritten signature in black ink, appearing to read 'Kevin Ellis', is written over a solid horizontal line.

Kevin Ellis, Chair

August 25, 2021

In Favor: Kevin Ellis, Gary Tondorf-Dick, Rita DaSilva, Gordon Carr, and Judith Sneath

Opposed: None